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REMARKS

In response to the non-final Office Action mailed October 24, 2007, applicants hereby amend claims 1-3, 18, 19, and 21, and add new claim 24. Claims 4 and 7-15 have been canceled, so a total of 14 claims remain, of which claims 1 and 24 are independent.

Claim Objection

Claims 1-3, 19 and 20 were in fact original claims, unchanged by the Preliminary Amendment filed concurrently with the application.

All of these claims except claim 20 are amended hereby and thus are identified as "currently amended." The identifier of claim 20 has been changed to "original."

Claim 3 has been amended to remove the term "flame" and it is believed that proper antecedents are in place now.

The identifier "deleted" had been corrected to "canceled."

Claim Rejection -- 35 USC § 112

Claims 1 and 2 have been amended to clarify that the percentage of phenolic resin is relative to that of the mass of the fiber sheet net of the capsules. Thus, at one extreme of the range, the mass of the phenolic resin is 5% of the mass of the fiber sheet net of the capsules, i.e., 5% of the mass of the fiber sheet without taking into account the capsules of fire retardant powder covered with a synthetic resin. At the other extreme, the mass of the phenolic resin is 200% of the mass of the fiber sheet net of the capsules, i.e., without taking into account the capsules.

Claim 18 has been clarified to refer to "porous sheet(s)," a term first introduced in that claim.

Claim Rejections -- 35 USC § 102/103

The principal reference in all rejections is Ogawa US Pub. No. 2003/0088025 ("Ogawa '025"), which discusses the use of a fire retardant.

However, Ogawa '025 does not teach the use of "fire retardant capsules consisting of a fire retardant powder covered with a synthetic resin shell" as not recited in claim 1. Examples of support can be found in [0022] – [0024] of the published application 2007/0190876 A1 ("US Pub. '876")

As described in the Background section of this application, fire retardant can be mixed or impregnated into a fiber sheet but such fire retardant is expensive and may

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adversely affect the strength, weatherability, and other desirable properties of the fiber sheet. In addition, the air permeability and acoustic properties of the fire retardant treated fiber sheet may be adversely affected, and the fire retardant may separate from the fiber sheet when resin solution is impregnated. *See* US Pub 076, [0005] – [0009].

The invention recited in claim 1 as amended is a means to solve such prior art problems. US Pub. '876, [0010]. When a fire resistant sheet according to this patent application is exposed to high temperature, the powder filled capsules expand and break their resin shells, giving the fiber sheet self-extinguishing properties. Those resin-covered, powder containing capsules also solve air permeability and acoustic properties problem of prior art. US Pub. '876., [0011].

It is respectfully submitted that Ogawa '025 does not teach the fire resistant fiber sheet of claim 1, with its "fire retardant capsules consisting of a fire retardant powder covered with a synthetic resin shell," and does not teach or suggest the advantages flowing from the combination of elements recited in claim 1.

The remaining references were cited only as secondary references for features that Ogawa '025 lacks but do not supply the missing teaching of Ogawa '025 regarding claim 1 as amended.

Claim 24 is a new independent claim that differs from amended claim 1 only by using the open-ended term "comprising." It is submitted that it is patentably different from the applied prior art at least for the reasons discussed above regarding amended claim 1. The remaining claims are in dependent form and are submitted to be patentable at least because their parent claim is patentable, although it is believed that they add supplemental patentable features.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorney invited the Examiner to telephone him at the telephone number provided below.

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Respectfully submitted,



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